

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

THERANOS, INC. and ELIZABETH  
HOLMES,

Plaintiffs,

v.

FUISZ PHARMA LLC, et al.,

Defendants.

Case No. 5:11-cv-05236-PSG

**ORDER RE: MEET AND CONFER**

**(Re: Docket Nos. 303)**

Before the court is a request from Plaintiffs Theranos, Inc. and Elizabeth Holmes for an order requiring Defendants Fuisz Pharma, LLC, Richard Fuisz, and Joseph Fuisz to (1) meet and confer in good faith prior to filing the sanctions motion it has threatened Plaintiffs with and (2) to submit any such filing under seal. Although the court is not persuaded that such an order is warranted, Plaintiffs may of course file a motion for sanctions in response to any (1) frivolous motion (2) improperly filed on the public docket.

Plaintiffs' motion is DENIED.

**IT IS SO ORDERED.**

Dated: February 3, 2014

  
PAUL S. GREWAL  
United States Magistrate Judge